

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Rice et al.	Group No.:	1648
Serial No.:	10/534,571	Atty. Docket No.:	56029-54474
Filed:	10/11/2005	Confirmation Number:	4463
For:	Highly Permissive Cell Lines for Hepatitis C Virus RNA Replication	Examiner:	Lucas, Zachariah.

DECLARATION OF JENNIFER BALSAROTTI UNDER 37 C.F.R. §1.132

I, Jennifer Balsarotti, declare and state as follows:

1. All of the statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true.
2. I am currently Director of Laboratory Operations of Apath LLC, the exclusive licensee of the rights to the Huh-7.5 cell line that is disclosed and claimed in U.S. Patent Application 10/534,571.
3. On January 31, 2007, I received the Huh-7.5 cell line from Dr. Keril J. Blight of Washington University in Saint Louis. Following receipt of the Huh-7.5 cell line from Dr. Blight, I prepared and deposited cultures of the Huh-7.5 cell line with the American Type Culture Collection (ATCC) on behalf of the Washington University School of Medicine. The ATCC has acknowledged receipt of the Huh-7.5 cell line, accepted the deposit and provided an ATCC Patent Deposit Designation PTA-8561 in a letter dated August 10, 2007 (Exhibit A). The Huh-7.5 cell line (i.e. biological material) which is deposited is the

Huh-7.5 cell line (i.e. biological material) specifically identified in U.S. Patent Application 10/534,571 as filed. The deposited Huh-7.5 cell line is also the Huh-7.5 cell line specifically identified in PCT Patent Application No. PCT/US2003/036634, filed November 13, 2003, and in U.S. Provisional Application No. 60/426,256, filed November 13, 2002.

4. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon.


Jennifer Balsarotti

October 30, 2007

ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)
The Rockefeller University
1230 York Ave
New York, NY 10021

Deposited on Behalf of: Washington University School of Medicine

Identification Reference by Depositor:
Human Hepatocyte Cell Line

Huh-7.5

ATCC Patent Deposit Designation
PTA-8561

The deposit was received August 01, 2007 by this International Depository Authority and has been accepted.

We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested August 09, 2007. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Latha
Ramakrishnan

Digitally signed by Latha Ramakrishnan
DN: cn=Latha Ramakrishnan, o=ATCC,
ou=IP Licensing and Services,
email=lramakrishnan@atcc.org, c=US
Date: 2007.08.10 15:38:21 -0400

Date: August 10, 2007

Latha Ramakrishnan, ATCC Patent Depository

cc: Richard Haferkamp

Ref: Docket or Case No. 56029-54474

EXHIBIT A

RECEIVED

AUG 16 2007

Thompson Coburn LLP